

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MINNESOTA

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In re: Baycol Products Litigation

MDL No. 01-md-1431 MJD  
Case No. 08-cv-5758 (MJD/ECW)

UNITED STATES OF AMERICA *ex rel.*  
LAURIE SIMPSON,

Plaintiff,

v.

**ORDER**

BAYER HEALTHCARE  
PHARMACEUTICALS, INC.;  
BAYER CORP.; and  
BAYER A.G.,

Defendants.

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This case is before the Court on the Joint Stipulation to Modify Amended Scheduling Order Pursuant to L.R. 16.3 (Dkt. 217). Having considered the Stipulation and for good cause shown, **IT IS ORDERED** that the Scheduling Order is modified as follow:

**1. Pleadings and Disclosures**

**Current: May 13, 2020**

**Amended: October 11, 2020**

All motions which seek to amend the pleadings to add parties or claims must be served and filed on or before this date, and shall include a redlined version reflecting the changes contained in the proposed amended pleading. This deadline does not apply to motions which seek to amend the complaint to add a claim for punitive damages.

## **2. Discovery and Nondispositive Motions**

**Current: April 29, 2020**

**Amended: September 28, 2020**

All fact discovery any kind shall be commenced in time to be completed by this date.

**Current: May 29, 2020**

**Amended: October 26, 2020**

The identity of expert witnesses must be disclosed in accordance with Fed. R. Civ. P. 26(a)(2)(A) by this date.

**Current: June 26, 2020**

**Amended: November 23 2020**

The written reports of expert witnesses must be served in accordance with Fed. R. Civ. P. 26(a)(2)(A) (B) by this date.

**Current: June 26, 2020**

**Amended: November 23, 2020**

The identity of rebuttal expert witnesses must be disclosed in accordance with Fed. R. Civ. P. 26(a)(2)(A) by this date.

**Current: August 7, 2020**

**Amended: January 4, 2021**

The written reports of rebuttal expert witnesses must be served in accordance with Fed. R. Civ. P. 26(a)(2)(B) by this date.

**Current: September 7, 2020**

**Amended: February 4, 2021**

The identity and written reporters of further rebuttal witnesses must be served in accordance with Fed. R. Civ. P. 26(a)(2)(A) and (B) by this date.

**Current: October 30, 2020**

**Amended: March 28, 2021**

All expert discovery including expert depositions shall be commenced in time to be completed by this date.

**Current: November 30, 2020**

**Amended: April 29, 2021**

All non-dispositive motions and supporting pleadings (notice of motion, motion, affidavits, exhibits, memorandum of law, and proposed order), including those which relate to fact and expert discovery and any request for extension of this Pretrial Scheduling Order, shall be served, filed and HEARD by this date. Prior to scheduling any non-dispositive motion and following the conference required by Fed. R. Civ. P. 37(a)(1) and L.R. 37.1.

## **3. Dispositive Motions and Trial**

**Current: December 30, 2020**

**Amended: May 31, 2021**

All dispositive motions shall be filed by the moving party by this date.

**Current: April 30, 2021**

**Amended: September 27, 2021**

This matter will be ready for a JURY trial by this date. The parties estimate they will need 10 days for trial.

Dated: March 19, 2020

*s/Elizabeth Cowan Wright*

ELIZABETH COWAN WRIGHT

United States Magistrate Judge